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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 NICHOLAS JAMES WILLING,
11 Petitioner(s),
12 vs.
13 BRIAN WILLIAMS, SR., *et al.*,
14 Respondent(s).

Case No. 2:14-CV-01194-RFB-CWH

**MOTION FOR ENLARGEMENT OF TIME
(FIRST REQUEST)**

15 Respondents, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada,
16 hereby respectfully move this Court for an order granting a forty-six (46) day enlargement of time, to
17 and including June 17, 2019, in which to file and serve their response to Willing's amended petition.

18 This motion is based upon the provisions of Rule 6(b) of the Federal Rules of Civil Procedure
19 and the attached Declaration of Counsel, as well as all other papers, documents, records, pleadings and
20 other materials on file herein.

21 There have been no prior enlargements of Respondents' time to file said response, and this
22 motion is made in good faith and not for the purposes of delay.

23 RESPECTFULLY SUBMITTED this 26th day of April, 2019.

24 AARON D. FORD
Attorney General

25
26 By: /s/ Amanda C. Sage
AMANDA C. SAGE (Bar No. 13429)
27 Senior Deputy Attorney General
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Case No. 2:14-CV-01194-RFB-CWH

DECLARATION OF COUNSEL

15 I, AMANDA C. SAGE, hereby state, based on personal knowledge and/or information and
16 belief, that the assertions of this declaration are true:

17 1. I am a Senior Deputy Attorney General employed by the Attorney General's Office of the
18 State of Nevada in the Bureau of Criminal Justice, Post-Conviction Division, and I make this declaration on
19 behalf of Respondents' motion for enlargement of time in the above-captioned matter.

20 2. By this motion, I am requesting a forty-six (46) day enlargement of time, to and including
21 June 17, 2019, to respond to Willing's amended petition. This is Respondents' first enlargement request.

22 3. The response is currently due May 2, 2019.

23 4. Since this Court ordered a response, I unexpectedly inherited several large matters due to
24 staff reassignments and turnover. This included a motion to dismiss in *Leonard v. Baker* (death penalty,
25 Case No. 2:99-cv-360, filed March 20, 2019), a motion to dismiss in Leonard's state postconviction action
26 (filed 4/25/19), and a Ninth Circuit Answering Brief in *Rosas v. Filson* (Case No. 17-16839, filed April 12,
27 2019). As each matter had received enlargements under prior counsel, I had to turn my attention to those
28 matters. Additionally, I researched and wrote a petition for writ of certiorari in *Turner v. Baker* (filed April

1 15, 2019); and researched and responded to miscellaneous pleadings in *Snow v. Baker* (death penalty, Case
2 No. 15-99012, filed April 10, 2019); *Alcaraz v. Williams*, 2:13-cv-818 (filed 4/22/19); and *Adkisson*
3 *v. Neven*, Case No. 2:14-cv-1934 (filed 4/23/19) Finally, I spent significant time reviewing resumes and
4 conducting interviews for three vacant positions that we filled in the unit in March and April. I also
5 conducted trainings for each of these new hires. Due to these responsibilities, I did not have adequate time
6 to fully review and respond to Willing's petition.

7 5. Additionally, I will be out of the office on pre-arranged leave from April 26, 2019 through
8 May 6, 2019. I unfortunately was not able to get to Willing's filing before my absence. An additional 46
9 days will allow me to properly review and respond to this petition on my return.

10 6. On April 25, 2019, I emailed Lisa Rasmussen, the appointed counsel representing Willing
11 in this action, about my enlargement request. Ms. Rasmussen indicated she had no objection to
12 Respondents' request for enlargement.

13 7. This motion for enlargement of time is made in good faith and not for the purpose of
14 unduly delaying the ultimate disposition of this case.

15 Pursuant to 28 U.S.C. § 1746, Declarant herein certifies, under penalty of perjury, that the
16 foregoing is true and correct.

17 DATED this 26th day of April, 2019.

18 IT IS SO ORDERED:

/s/ Amanda C. Sage
AMANDA C. SAGE (Bar No. 13429)
Senior Deputy Attorney General

20
21 
22 RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

23 DATED this 29th day of April, 2019.
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1 **CERTIFICATE OF SERVICE**

2 I certify that I am an employee of the Office of the Attorney General and that on this 26th day of
3 April, 2019, I served a copy of the foregoing MOTION FOR ENLARGEMENT OF TIME (FIRST
4 REQUEST), by U.S. District Court CM/ECF electronic filing to:

5 Lisa Rasmussen
6 601 South 10th Street
7 Las Vegas, Nevada 89101

8 /s/ Laurie Sparman
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